



BILLINGS GAZETTE

EXHIBIT

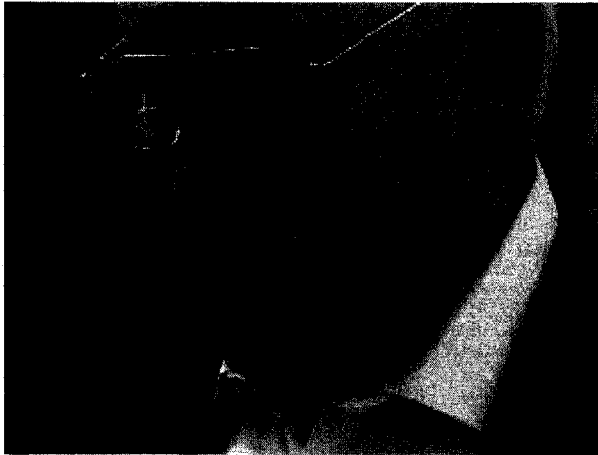
DATE

HB

1/28/15

220

## County official uses N-word in email; says he won't resign



OCTOBER 31, 2013 10:15 PM • BY EDDIE GREGG

The Yellowstone County Attorney's Office is investigating if county treasurer Max Lenington can be removed from office after a Billings Gazette public information request showed he sent an email that contained a racial epithet from his county email account.

Lenington says he plans to serve the rest of his term in office.

Lenington, the longtime Yellowstone County treasurer, assessor and superintendent of schools, used the epithet and singled out

other minority groups in a message he wrote on Nov. 13, 2012, in response to an email in opposition to President Barack Obama that was forwarded from his sister.

"It still baffles me as to how he got elected," Lenington wrote of the president. "It must mean there are more lesbians, queers, Indians, Mexicans and n—— than the rest of us!" (The Gazette has chosen not to reproduce completely the word that Lenington wrote.)

When asked Thursday night why he used the word, Lenington said that he was upset about the outcome of the presidential election and that "you've got to get out with the real people because you'll see that people still use that word periodically. This is Montana ... this isn't Chicago, this isn't Washington."

Yellowstone County Attorney Scott Twito, whose office handled the public information request that turned up the email, said that as an elected official and as a resident of the Billings community he is deeply offended by Lenington's statements.

"I'm not the gatekeeper of free speech, but words like this don't belong in this community and certainly shouldn't reflect the views of any public official," he said. "I just don't think this way — I don't see how anybody can. It just bothers me as a person."

After learning of the email late Thursday afternoon, Twito said he immediately turned it over to the Gazette and assigned the civil division of his office to review the recall process that may allow for Lenington to be removed from office.

Lenington said several times in a phone conversation Thursday that he "probably" regrets the email, but that the message, although sent using his government email account, was a personal communication between him and his twin sister.

220  
ESSMAN  
7

100-100000

100-100000

100-100000

"It was a personal thing," he said. "I would never say it in public. I would never say it to you, but it was my sister."

He also said he doesn't plan to resign from office, although he said the possibility was brought up in a discussion he had with Twito on Thursday afternoon.

Lenington's term ends Dec. 31, 2014.

The Gazette made the public information request that turned up the email as part of an investigation into Lenington's conduct following the revelation in August that two anti-Obama letters to the editor submitted by Lenington appeared to be plagiarized.

The authors of the original material chose not to pursue the issue with Lenington.

For Lenington to be removed from office, voters would have to recall him. In Montana, an elected official can be removed from office for "physical or mental lack of fitness, incompetence, violation of the oath of office, official misconduct, or conviction of a felony offense," according to state statute.

Lenington has worked for the county for more than 40 years.